

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADVANCED ACCESS CONTENT SYSTEM
LICENSING ADMINISTRATOR, LLC,

Plaintiff,

v.

LANNY SHEN d/b/a DVDFAB AND
FENGTAO SOFTWARE INC., SUNREG
TECHNOLOGIES LTD. d/b/a DVDFAB AND
FENGTAO SOFTWARE INC., FENG TAO
d/b/a DVDFAB AND FENGTAO SOFTWARE
INC., SHEN XINLAN d/b/a AUDIO-DVD
CREATOR, and JOHN DOE, JANE DOE and/or
XYZ COMPANY d/b/a DVDFAB, RIPPERBLU-
RAY.COM, DVDFABB.COM and
DVDFFFAB.COM,

Defendants.

Civil Action No.
14 Civ. 1112 (VSB)

**REPLY DECLARATION OF FENG
TAO IN SUPPORT OF MOTION
TO VACATE CLERK'S DEFAULT**

I, FENG TAO, declare as follows:

1. I am the proprietor of Fengtao Software ("FTS"). I submit this reply declaration in support of my motion to set aside the Clerk's Certificate of Default entered on March 18, 2014. I am familiar with the facts and circumstances recited herein.

2. In response to the Injunction, FTS discontinued sales of the Accused Software to the United States, and developed new versions of the Accused Software for United States purchasers that do not circumvent AACCS software.

3. FTS introduced its non-AACCS-decryption ("NAD") versions for the United States on May 30, 2014. The NAD versions are the only versions of the DVDFab software FTS offers to United States purchasers.

4. Since May 30, 2014, a user in the United States who visited the FTS site, whether to purchase the Accused Software for the first time, or to update an earlier purchase, has only been offered the NAD versions.

5. Exhibit A parts 1-3 to the Hewitt Declaration dated May 27, 2014 showing updates to the DVDFab software were created on May 22, 2014 – ten days before the introduction of the NAD versions.

6. Mr. Hewitt submitted a Supplemental Declaration dated July 11, 2014, but he did not include any new exhibits showing purchases or updates to the Accused Software. The reason is because if he went to the FTS site after May 30, 2014, he would only be able to download the NAD version.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on August 1, 2014.


FENG TAO